

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAR 29 2019  
at 10 o'clock and 50 min. M  
SUE BEITIA, CLERK

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Attorneys for Defendants

OHANA MILITARY COMMUNITIES, LLC and

FOREST CITY RESIDENTIAL MANAGEMENT, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

PLAINTIFFS CARA BARBER,  
MELISSA JONES, MELISSA  
STREETER, KATIE ECKROTH, BOB  
BARBER, TIM JONES, AND RYAN  
ECKROTH, On Behalf of Themselves

CIVIL NO. 14-00217 HG-KSC

STIPULATION FOR  
WITHDRAWAL OF  
PRELIMINARY INJUNCTION

and All Others Similarly Situated,  
Class Plaintiffs,

vs.

OHANA MILITARY COMMUNITIES,  
LLC, FOREST CITY RESIDENTIAL  
MANAGEMENT, INC.; and DOE  
Defendants 1-10,  
Defendants.

MOTION AND DISMISSAL OF  
ANY REMAINING CLAIMS,  
COUNTERCLAIMS, AND  
ISSUES, AND ORDER

**STIPULATION FOR WITHDRAWAL OF PRELIMINARY INJUNCTION  
MOTION AND DISMISSAL OF ANY REMAINING CLAIMS,  
COUNTERCLAIMS, AND ISSUES, AND ORDER**

IT IS HEREBY STIPULATED by and between Defendants Ohana Military Communities, LLC and Forest City Residential Management, LLC, and Plaintiff Cara Barber, by and through their undersigned counsel, that the Motion for Preliminary Injunction and Order to Show Cause Re Violations of the Parties' Settlement Agreement (Dkt. No. 278) ("PI Motion") is withdrawn, and any other related claims, counterclaims, or issues remaining in the above-entitled action will be dismissed with prejudice. Each party to this stipulation shall bear their own attorneys' fees and costs in connection with the PI Motion, the related appeals and motions, and any other filings or issues in this case. This stipulation is intended to dismiss with prejudice all claims and counterclaims remaining in the case, and there are no remaining parties, claims, or issues.

Judge Kenneth Mansfield shall retain jurisdiction for a period of three years to resolve any disputes or actions related to the parties' Settlement Agreement and Release, entered as of January 5, 2016 ("Settlement Agreement"), and the Addendum to the Settlement Agreement and Release, entered into on or about March 26, 2019 ("Addendum"). The parties and the Court agree that this period of time is reasonable under the unique circumstances and procedural history of this case. The parties and the Court further agree that, prior to filing any motion or action related to their Settlement Agreement or Addendum, they will contact the Court for an informal conference in an attempt to resolve such dispute.

This stipulation for dismissal is based upon Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and has been signed by all parties who have made an appearance in this action.

DATED: Honolulu, Hawai'i, March 28, 2019.

/s/ Randall C. Whattoff  
JOACHIM P. COX  
RANDALL C. WHATTOFF  
KAMALA S. HAAKE  
CHRISTINE A. TERADA  
Attorneys for Defendants  
OHANA MILITARY COMMUNITIES, LLC  
and FOREST CITY RESIDENTIAL  
MANAGEMENT, LLC

DATED: Honolulu, Hawai'i, March 28, 2019.

/s/ Bradford F.K. Bliss

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BRADFORD F.K. BLISS  
P. KYLE SMITH, ESQ.  
TERRANCE M. REVERE  
Attorneys for Plaintiff  
CARA BARBER

APPROVED AND SO ORDERED:



UNITED STATES DISTRICT JUDGE  
3.29.19

*Cara Barber, et al. v. Ohana Military Communities, LLC, et al.*, Civil No. 14-00217 HG-KSC, Stipulation for Withdrawal of Preliminary Injunction Motion and Dismissal of Any Remaining Claims, Counterclaims, and Issues, and Order